


UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION


JUL 24 2012  
JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

|                          |   |                              |
|--------------------------|---|------------------------------|
| FAHED T. TAWALBEH,       | ) | Civil Action No. 7:00cv00858 |
|                          | ) |                              |
| v.                       | ) | <u>FINAL ORDER</u>           |
|                          | ) |                              |
| UNITED STATES OF AMERICA | ) | By: Samuel G. Wilson         |
|                          | ) | United States District Judge |

In accordance with this court's memorandum opinion entered this day, it is **ORDERED** and **ADJUDGED** that Tawalbeh's motion (Docket No. 27) is **CONSTRUED** as a motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, and the Clerk is directed to **FILE** the motion as such; the § 2255 motion is **DISMISSED without prejudice** as successive; and the case is **STRICKEN** from the active docket.

Further, the court finds that Tawalbeh has not made the requisite showing of the substantial denial of a constitutional right as required by 28 U.S.C. § 2253(c) and, therefore, a certificate of appealability is **DENIED**.

ENTER: July 24, 2012.

  
United States District Judge